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DATE: August 19, 2004

PTO IDENTIFIER: Application Number 09/936,454  
Patent Number

Inventor: Nilgun E. Turner et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK, LLP  
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Attorney Dkt. #: OCIRS 3.3-073

PAGES (Including Cover Sheet): 6

CONTENTS: Amendment Under 37 C.F.R. § 1.312 (3 pages)  
Copy of Decision Dismissing Petitions Under 37 C.F.R. § 1.78(a)(3) and Under 37 C.F.R.  
§ 1.78(a)(6) (2 pages).

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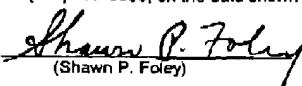
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(Shawn P. Foley)Docket No.: OCIRS 3.3-073  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Tumer et al.

Application No.: 09/936,454

Confirmation No.: 4316

Filed: September 13, 2001

Art Unit: 1638

For: A METHOD FOR SELECTING  
TRANSFORMED PLANT CELLS USING  
ETHIONINE AND CYSTATHIONINE  
GAMMA SYNTHASE AS THE  
SELECTION AGENT AND MARKER  
GENE

Examiner: C. E. Collins

AMENDMENT UNDER 37 CFR §1.312

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the following amendments and remarks.